

BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, April 21, 2005

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, April 21, at 3:00 p.m., at Police Headquarters, 1300 Beaubien, Detroit, Michigan 48226.

ATTENDANCE

Board Members Present

Arthur Blackwell, II
Erminia Ramirez
Jim Holley
Megan Norris **(ABS)**
Willie Hampton

Department Personnel Present

Chief Ella M. Bully-Cummings
DC Brenda Goss Andrews
Cmdr. Scott Kohls
Insp. Gail Wilson-Turner
Lt. Brian Stair
Lt. Michael Adams
Sgt. Joanna Ali-Johnson
Sgt. Romel Alexander
PO Michael Woody
PO Walter Huggins
Atty. Nancy Ninowski

Board Staff Present

Dante' L. Goss, Executive Director
E. Lynise Bryant-Weekes, Personnel Director
Denise R. Hooks, Attorney/Supervising Inv.
Arnold Sheard, Interim Chief Investigator

OTHERS PRESENT

Atty. John Goldpaugh
Ron Scott
Ms. Walters
Rick Jones
Odell Johnson
Juanita Newton
Media

RECORDERS

Jerome Adams
Kellie Williams

1. **CALL TO ORDER**

Vice-Chairperson Ramirez called the regular meeting of the Detroit Board of Police Commissioners to order at 3:20 p.m.

2. **APPROVAL OF MINUTES**

- **Thursday, April 14, 2005**

MOTION: **Comm. Holley** made the motion to approve the above Minutes.

SECOND: **Comm. Ramirez** seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. **REPORT FROM THE CHAIR**

Chairperson Blackwell stated today we were given an excellent tour of the Forensic Lab. He asked because of the bond issue, will we be building a new lab?

Chief Bully-Cummings stated yes.

**Resolution Honoring
Deputy Chief Cara J. Best-Blount**

WHEREAS Cara J. Best-Blount joined the Detroit Police Department on March 24, 1977, and upon graduation from the Police Academy, Police Officer Best-Blount began her career at the Thirteenth Precinct as a patrol officer; and

WHEREAS On September 26, 1986, Officer Best-Blount was promoted to the rank of Sergeant and assigned as a patrol supervisor at the Mini Station Section, and the Eighth Precinct. Other assignments included the Detroit Metropolitan Police Academy, as the Administrative Sergeant and the Personnel Bureau; and

- WHEREAS** On July 1, 1994, Sergeant Best-Blount was promoted to the rank of Lieutenant and assigned to the Fifth Precinct, where she assumed the duties of the Commanding Officer of Patrol Operations. In November 1995, she was assigned to the Tactical Services Section as the Commanding Officer and was responsible for the planning and implementation of major events, such as the Grand Prix, the Thanksgiving Day Parade, the Boat Race, and the Red Wings' Victory Parade. She was also responsible for coordinating visits to the city of Detroit by the President, Vice-President, dignitaries and heads of state; and
- WHEREAS** On July 17, 1998, Lieutenant Best-Blount was appointed to the rank of Inspector and continued her Command of the Tactical Services Section until May 1999, when she was transferred to the Twelfth Precinct to serve as Commander; and
- WHEREAS** On August 23, 1999, Inspector Best-Blount was appointed to the rank of Commander and continued her duties at the Twelfth Precinct; and
- WHEREAS** On July 15, 2002, she was appointed Deputy Chief and assigned to the Western Operations Bureau until July 2003, when she was assigned to head the Civil Rights Integrity Bureau. During her tenure as Deputy Chief, she also did a stint at the Criminal Investigations Bureau before being reassigned to the Western Operations Bureau, where she remained until her retirement on March 11, 2005; and
- WHEREAS** Deputy Chief Best-Blount received a Bachelor of Arts Degree in Sociology from the University of Detroit, and a Master of Science Degree in Criminal Justice from Wayne State University. She is a graduate of the Northwestern University School of Police Staff and Command, and has also completed numerous training programs. Additionally, Deputy Chief Best-Blount has taught classes on cultural diversity and sexual harassment at Wayne State Community College and various public organizations; and
- WHEREAS** During her illustrious career, Deputy Chief Best-Blount was the recipient of the 1980 Government of the People (GOP) Award, one (1) Lifesaving Award, two (2) Chief's Unit Awards, (1) Chief's Merit Award, one (1) Citation and one (1) Perfect Attendance Award, along with numerous letters and commendations from citizens and her superiors,

NOW, THEREFORE BE IT

RESOLVED That the Detroit Board of Police Commissioners, speaking for the citizens of the city of Detroit and for the Detroit police Department, awards this Resolution in recognition of the outstanding commitment, dedication, and selfless service of Deputy Chief Cara J. Best-Blount. Her loyalty and professionalism merits our highest regard and best wishes for a rewarding future.

We thank and salute you, Deputy Chief Cara J. Best-Blount.

/s/Arthur Blackwell
Chairperson

/s/Erminia Ramirez
Vice Chairperson

/s/ Megan P. Norris
Commissioner

/s/Jim Holley
Commissioner

/s/Willie Hampton
Commissioner

MOTION: **Comm. Holley** made the motion to adopt the Resolution.

SECOND: **Comm. Ramirez** seconded the motion.

VOTE: All in attendance voted in the affirmative.

**Resolution Honoring
Sergeant Felix Kirk**

WHEREAS Sergeant Felix Kirk retired from the Detroit Police Department on December 18, 2004, after twenty-nine (29) years of distinguished and committed service to the City of Detroit; and

WHEREAS Felix Kirk was appointed to the Detroit Police Department on June 24, 1975. Upon graduation from the Detroit Metropolitan Police Academy, Officer Kirk was assigned to the First Precinct's Special Operations Keystone Cop Detail. His other assignments included the Fourth Precinct, the Tenth Precinct, the Vice Squad, the Gang Squad and the Homicide Section; and

WHEREAS On July 28, 1998, Officer Kirk was promoted to the rank of Sergeant and assigned to the Third Precinct, where he remained until his retirement; and

WHEREAS During his tenure, he was the recipient of the 1980 Government of the People Award, five (5) Chief's Merit Award, two (2) Chief's Unit Awards, one (1) Lifesaving Award and three (3) Citations. He also received numerous letters of praise and appreciation from supervisors and the citizens of Detroit,

NOW, THEREFORE BE IT

RESOLVED That the Detroit Board of Police Commissioners, speaking for the citizens of the City of Detroit and the Detroit Police Department, acknowledge Police Officer Kirk for his outstanding commitment and dedication to the citizens of the City of Detroit. Sergeant Kirk acted in accordance with the highest standards and traditions of the Detroit Police Department. His loyal and devoted service merits our highest regards.

We salute and thank you, Sergeant Felix Kirk.

/s/Arthur Blackwell
Chairperson

/s/Erminia Ramirez
Vice Chairperson

/s/ Megan P. Norris
Commissioner

/s/Jim Holley
Commissioner

/s/Willie Hampton
Commissioner

MOTION: **Comm. Holley** made the motion to adopt the Resolution.

SECOND: **Comm. Ramirez** seconded the motion.

VOTE: All in attendance voted in the affirmative.

RESOLUTION HONORING POLICE OFFICER GARY KRUPINSKI

WHEREAS Police Officer Gary Krupinski retired on March 11, 2005, from the Detroit Police Department after over 32 years of exemplary and dedicated service to the citizens of Detroit; and

WHEREAS Gary Krupinski was appointed to the Detroit Police Department on August 23, 1971. Upon graduating from the Detroit Police Academy, Officer Krupinski was assigned to the Fourteenth Precinct (presently the Second Precinct). He also had assignments at the Tactical Services Section, the Special Crimes Section, the Internal Controls Bureau, the Mounted Section, the Sixth Precinct, and the Fourth Precinct. On August 2, 2004, he was assigned to the Third Precinct, where he remained until his retirement; and

WHEREAS During his career with the department, Officer Krupinski was the recipient of the 1980 Government of the People (GOP) Commemorative Award, one (1) Chief's Merit Award, two (2) Chief's Unit Awards, five (5) Lifesaving Medals, and seven (7) Citations. He also received numerous letters of praise and appreciation from supervisor's and citizens,

NOW THEREFORE BE IT

RESOLVED That the Board of Police Commissioners, speaking for the citizens of Detroit and the Detroit Police Department acknowledge that Officer Gary Krupinski served the City of Detroit and the Detroit Police Department with distinction for more than thirty-two (32) years. Officer Krupinski's actions were in accordance with the highest standards and traditions of the Detroit Police Department.

We salute, congratulate and thank you, Officer Gary Krupinski.

/s/Arthur Blackwell
Chairperson

/s/Erminia Ramirez
Vice Chairperson

/s/ Megan P. Norris
Commissioner

/s/Jim Holley
Commissioner

/s/Willie Hampton
Commissioner

MOTION: **Comm. Holley** made the motion to adopt the Resolution.

SECOND: **Comm. Ramirez** seconded the motion.

VOTE: All in attendance voted in the affirmative.

4. SECRETARY'S REPORT – EXEC. DIR. GOSS

Exec. Dir. Goss stated today we received a letter from John Goldpaugh in regards to Police Officer Ned Gray's request for reinstatement to the payroll. These arguments will be heard on Thursday, April 28, 2005.

SUSPENSIONS

Exec. Dir. Goss read the following:

On April 21, 2005, **Police Officer Romon Johnson**, Badge 979, assigned to the Tenth Precinct, was suspended **without pay** by Chief of Police Ella M. Bully-Cummings.

On February 1, 2005, the Internal Affairs Section was notified of an allegation of misconduct on the part of Officer Johnson. More specifically, the complaint alleged that Officer Johnson is currently married to two (2) women and that he has threatened one of the women with physical harm.

As a result, the Internal Affairs Section initiated an investigation, which revealed the following:

On February 15, 2005, the Internal Affairs Section received a certified copy of a State of Louisiana Certificate of Marriage indicating that on October 20, 2004, Officer Johnson married wife number two (2) in the City of Lake

Charles, County of Calcasieu, Louisiana. A judge performed the marriage ceremony.

On February 16, 2005, the Internal Affairs Section received a certified copy of a State of Ohio Marriage Record indicating that on October 30, 1998, Officer Johnson married wife number one (1) in Lucas County, Ohio. A Reverend performed the marriage ceremony.

The complaint also alleged that wife number two (2) has received numerous threats including an incident that occurred on January 31, 2005, wherein shots were fired at her.

On April 7, 2005, the Parish of Calcasieu, Louisiana Prosecutor's Office issued felony warrant #371453, charging Officer Johnson with Bigamy. In Louisiana, Bigamy is punishable as a felony with five (5) years in prison, with or without hard labor, and/or a one thousand dollar (\$1,000.00) fine. An arraignment date is currently pending.

Based on the above circumstances, it is recommended that Officer Johnson be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

CHARGE: THE LAW ENFORCEMENT CODE OF ETHICS; THIS BEING IN VIOLATION OF THE DETROIT POLICE DEPARTMENT MANUAL, SERIES 100, DIRECTIVE 102.3-5.7, CONDUCT UNBECOMING AN OFFICER, COMMAND 3.

Unless contravened by this Commission, the above suspension without pay will stand.

Atty. Goldpaugh stated with this being a felony, I am not going to present arguments at this time.

Comm. Holley asked the conduct is contrary to the law enforcement code of ethics, what did he violate in the Manual? Did he violate the shame piece?

Chairperson Blackwell stated for breaking the law, he was married to two women.

Comm. Holley stated okay, I just want to make sure that is in the code.

Chairperson Blackwell asked do you mean marrying two women or breaking the law?

Comm. Holley stated marrying two women.

Chairperson Blackwell stated I don't think that they specifically say that.

Comm. Holley stated there is a thing here about shooting at someone and then also the marriage thing. I am not familiar with all of these series of directives. He asked Exec. Dir. Goss are these charges for both violations? He asked do you understand what I am asking Mr. Chairman?

Chairperson Blackwell stated yes, I do. What you are saying is that you are talking about specific charges that went against the code and the directives of the procedures. The fact that he had been charged with a felony that issue alone is something that generally is an issue that the Chief makes a suspension. Protocol wise, Mr. Goldpaugh has never challenged a felony charge. Anything that breaks the law gets that kind of charge no matter what it is. The only thing is when you say that someone is currently married to two women; I would just ask the police is that possible.

Exec. Dir. Goss stated it is possible.

Comm. Holley stated yes, it is possible.

Atty. Goldpaugh stated it is not possible to be legally married, that's what creates the crime of bigamy, which is alleged down in Louisiana.

Comm. Holley stated I just want to make sure that the law that we are charging him with is with the bigamy and with the shooting, that's what I want to make sure that we have in here.

Chairperson Blackwell stated we're not charging him.

Comm. Holley stated I mean not us charging him, but I am asking the Chief has he been charged.

Atty. Goldpaugh stated he has not been charged with any allegations with respect to the shooting. The only charge against him at this point in time, is a bigamy warrant that was issued out of the state of Louisiana, which he is going down to address.

Comm. Holley stated I am concerned that we charged him with one thing and not two.

Chairperson Blackwell stated we are not charging him; the Chief suspended him based on his conduct.

Comm. Holley asked why can't he be suspended on both. The conduct for the bigamy and the conduct for the shooting because it is in the complaint.

Atty. Ninowski stated the petition that was submitted by the Department that was just read into the record is based on allegations. The allegations include, the felony charge of bigamy and the conduct related to that, as well as the allegation that wife number two (2) was shot at. The recommended charge of conduct unbecoming an officer, that you are referencing, is the recommendation based on that allegation. When the charges are actually drafted by Discipline, it will incorporate everything into the charges. She asked does that answer your question?

Comm. Holley stated yes, it really does. I just want to make sure that both charges are included because you can only be punished for what you are charged for if you are guilty. So, if you are only being charged for bigamy and not the other...but if you are charged and found guilty of both, then you pay the penalty.

Chairperson Blackwell stated I think that we are saying something different. Most of these cases come up whether you are charged or not. The Chief reserves the right based on conduct unbecoming an officer to suspend without pay, that's all that is in front of us. Whether or not they are convicted or not is a separate issue.

Comm. Holley asked this suspension is based upon, not just bigamy, but bigamy and the shooting? But, what I am hearing you say is that it is based upon the bigamy only.

Atty. Ninowski stated no, it is based on conduct. The conduct is set forth in that petition.

Atty. Goldpaugh stated it should be noted in the petition that there is no allegation made that Officer Johnson is the one who fired at wife number two (2), only that she claimed or somebody claimed that she was fired upon down in Louisiana.

Chairperson Blackwell stated for example, it could have been by wife number one (1).

Atty. Goldpaugh stated it could have been by her husband number one (1) for all we know, we don't know who it was. But the only charge against him in Louisiana was the felony.

Atty. Ninowski stated the Department's petition incorporates all of the conduct and that includes the allegation of shooting and the bigamy charge and the conduct associated with that bigamy charge.

There were no contraventions to the above suspension without pay.

Comm. Ramirez exited the conference room at 3:35 p.m.

Chairperson Blackwell asked now that we are technically not in quorum, what is the rule on that?

Atty. Hooks stated what I would suggest that we can go into a Committee of the Whole now. But, I would also suggest that we hold off on that second suspension, until Comm. Ramirez returns. The record needs to reflect that we are now in a Committee of the Whole.

Atty. Hooks exited the conference room.

Chairperson Blackwell stated we will read the suspension as a Committee of the Whole and then we will take action on it when Comm. Ramirez returns.

Exec. Dir. Goss read the following:

On April 21, 2005, **Police Officer Keith Rainer**, Badge 552, assigned to the Gaming Administration Section, was suspended **without pay** by Chief of Police Ella M. Bully-Cummings.

On April 19, 2005, the Internal Affairs Section was notified of an allegation of misconduct on the part of Officer Rainer. More specifically, the complaint alleged that Officer Rainer use unjustified physical force against another.

As a result, the Internal Affairs Section initiated an investigation, which revealed the following:

On April 18, 2005, at approximately 7:05 p.m. an officer from the Brownstown Township Police Department responded to the Brownstown Township Police Department on a complaint of domestic violence. Upon arrival, the Brownstown Township officer met with the complainant who advised him that at approximately 6:00 p.m. she was at home packing her belongings so that she could move out of the house.

Comm. Ramirez and Atty. Hooks re-entered the conference room at 3:42 p.m.

Exec. Dir. Goss stated we are back into full session with a quorum because Comm. Ramirez has just returned. He continued and read the following:

She had just advised her husband, Officer Rainer, that she wanted a divorce. In response, the complainant indicated that Officer Rainer grabbed her left arm and told her that he was dangerous. The complainant also indicated that Officer Rainer then pulled his Department issued firearm and began waiving it in her face insisting that she shoot him. According to the complainant, she then grabbed the firearm and threw it on the couch. The complainant then indicated that Officer Rainer picked up the firearm, waived it in the complainant's face again and threatened to kill her. After which, Officer Rainer left the house. Subsequently, Brownstown Township Police took Officer Rainer into custody.

On April 19, 2005, a felony warrant was issued against Officer Rainer charging him with Assault with a Dangerous Weapon (Felonious Assault), Felony Firearm, and Domestic Assault and Battery, contrary to MCL 750.82, MCL 750.227b, and MCL 750.81. Felonious Assault is a felony punishable by not more than four (4) years in prison and/or a fine of not more than two thousand dollars (\$2,000.00); Felony Firearm is a felony punishable by two (2) years in prison; and Assault and Battery is a misdemeanor punishable by ninety-three (93) days in jail and/or a fine of five hundred dollars (\$500.00).

Also on April 19, 2005, Officer Rainer appeared at the State of Michigan Thirty-Third District Court for arraignment. A plea of not guilty was entered on Officer Rainer's behalf to the aforementioned charges and a bond was set in the amount of fifteen thousand dollars (\$15,000.00) cash/surety/ten percent (10%). At that time, Officer Rainer was taken into custody. The Preliminary Examination is scheduled for May 3, 2005.

Based on the above circumstances, it is recommended that Officer Rainer be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

CHARGE: CONDUCT UNPROFESSIONAL; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE DETROIT POLICE DEPARTMENT MANUAL, SERIES 100, DIRECTIVE 102.3-5.7, CONDUCT UNBECOMING AN OFFICER, COMMAND 3.

Unless contravened by this Commission, the above suspension without pay will stand.

Chairperson Blackwell asked Mr. Goldpaugh because this is also a felony charge, you have no arguments?

Atty. Goldpaugh stated that is correct.

Chairperson Blackwell asked are Officer Rainer and his wife the only two (2) witnesses?

Atty. Goldpaugh stated I don't have any personal knowledge of this matter. I was only served with a copy of the petition. As you can see, Officer Rainer was arraigned on this matter immediately the next day. Based on the allegations that were set forth by Ms. Rainer, the Wayne County Prosecutor issued a warrant. That's all I can address. But, it appears that it's a one on one, at this point in time.

Chairperson Blackwell if you are in a situation where there are two individuals involved in a domestic violence issue and someone says that you did these things and whether you think you did them or not, and the facts are clear. The issue is the fact that she makes the complaint triggers a series of events. Is that not correct?

Atty. Goldpaugh stated that is correct.

Chairperson Blackwell asked is the information always 100 percent accurate?

Atty. Goldpaugh stated the problem as I see it, if this were a simple assault and battery. When I use the word simple, I don't mean to bring it down to lower them whether the assault occurred or not, in that particular case. If there was no physical evidence to support that he struck him or she struck him when the police arrived, I could understand why a warrant may or may not be issued. In this particular case, because there's an allegation of a felony... and that would be true if I walked out the door and claimed that I was walking down the street and that Mr. so and so came down the street and pulled a gun and pointed it at me and I called the police and they came and caught him right away. The mere fact that he had a gun and I made that allegation wouldn't be sufficient to at least a Prosecutor to issue a warrant whether I am telling the truth or not.

Chairperson Blackwell asked even if he had a CCW or not?

Atty. Goldpaugh stated that is correct. Because I'm claiming that he pointed the weapon. That's why we have preliminary examinations to address the probable cause issues with respect to felonies. There is no preliminary examination available on a simple misdemeanor, so that's where we go to the pretrial or where a trier of fact will make the determination as to basically who is telling the truth.

Atty. Ninowski stated oftentimes we look at other sources as well to sustain the charges and that would be if there were any 911 tapes, perhaps some kind of EMS was sent to the scene and they have made a report.

Chairperson Blackwell asked other than the preliminary report we don't have any physical evidence?

Vice-Chairperson Ramirez stated there is no indication that there is physical...

Atty. Ninowski stated all I have right now is a preliminary report from Internal Affairs.

Chairperson Blackwell stated I am not talking about this particular case, but I am just saying that the burden in these cases seem to fall on the men. Let's say there is an upset individual and if he has a gun, and if she says that...based on what you are saying, there could probably be an arraignment for a felony charge based on her making the allegation.

Atty. Goldpaugh stated that is correct. Under the state law, police officers, whether they are in Detroit, Browns Town Township or wherever are allowed to make an arrest for a felony not committed in their presence. Whereas, except for the misdemeanor of domestic assault, a misdemeanor not committed in a police officer's presence cannot be.... You cannot arrest an individual if you are a police officer on a misdemeanor, unless it is committed in your presence.

Chairperson Blackwell stated the whole issue of innocent until proven guilty, seems not to be the case. Because basically you are being punitive....what we are doing today is punitive and we really don't know what side is the truth. I've seen this and I kind of ask about it, what if somebody makes an allegation about any of us, for any reason. Obviously, for a police officer it is more damaging because of the fact that it immediately revokes their police powers and it immediately revokes their ability to get money to the extent that we don't contravene it. He asked if anybody has ever looked at this phenomenon? He also asked, if the couple gets into an argument, if all she had to do was pick that phone up and say that I felt threatened by him, do they have to take him?

Atty. Goldpaugh stated if I'm feeling threatened, they might show up and some issues might be addressed. If there is only an allegation of threats or lesser, I don't believe the police would arrest anybody.

Chairperson Blackwell asked what about the brandishing of the gun?

Atty. Goldpaugh stated I think the brandishing of the gun in this point at least; the allegation is actually more than a brandishing because he has been

charged with felonious assault, which is intentional assault. He is not charged with the misdemeanor of brandishing of waving the gun around.

Chairperson Blackwell asked does felonious assault mean that there was actually physical assault?

Atty. Goldpaugh stated felonious assault is an assault on a person with a dangerous weapon. It can be the pointing of a weapon or it could be the striking of somebody over the head with the weapon.

Chairperson Blackwell stated in this case according to the testimony, it's the waving of the gun?

Atty. Goldpaugh stated I read it to indicate that it was he waved the gun around and said, "you shoot me". She then took the gun and threw it down. He came back and then turned around and pointed the gun or threatened her with the gun and says, "now I am going to shoot "you or "I'm dangerous".

Atty. Ninowski stated I think he says, "I'm going to kill you." And, now he has the gun in his hand.

Atty. Goldpaugh stated which, if believed, would be a felonious assault because an assault, is the placing of somebody in apprehension of immediate battery with a dangerous weapon and having the means to do it.

Chairperson Blackwell asked what are the non physical charges?

Atty. Ninowski stated there's an assault and there's a battery.

Chairperson Blackwell asked battery is physical and assault is a threat?

Atty. Ninowski stated that is correct. So, he is charged with felonious assault.

Chairperson Blackwell stated so what men need to know is, if their wife says that I am going to kill you, they should call because that is an assault charge.

Atty. Ninowski stated I don't know if I am in a position to answer that question.

Chairperson Blackwell asked is this the same thing?

Atty. Ninowski stated right.

Chairperson Blackwell stated men don't that that is an assault.

Vice-Chairperson Ramirez stated they should.

Chairperson Blackwell stated people do get mad at each other and lie; they do that.

Vice-Chairperson Ramirez stated sometimes they don't.

Chairperson Blackwell stated but all the times they get brought in, not sometimes. So, I'm saying how do you balance that?

Atty. Ninowski stated I appreciate your frustration.

Chairperson Blackwell stated I am not frustrated.

Atty. Ninowski stated as a Board, I appreciate the conversation that you are having and appreciate your frustration with this particular issue. It's funny that Mr. Goldpaugh and I experience this on a weekly basis. We go through discussions like this on this type of case. Having said that, I would point out that it is a very, very serious allegation when someone uses a weapon in the matter described in this complaint.

Chairperson Blackwell stated no question.

Atty. Ninowski stated both departmentally and under the laws of the State of Michigan.

Chairperson Blackwell stated the question is who are the witnesses and is there a possible chance that a woman or a man could tell a lie. Is that possible?

Atty. Ninowski stated absolutely.

Chairperson Blackwell stated but 100% of the time, when this same charge comes, is there a different outcome when it comes to the Chief?

Atty. Ninowski stated I'm not sure what you are asking me?

Chairperson Blackwell stated the woman could say he threatened to kill me, there are just two (2) people...it comes to the Chief, she is basically following the same protocol, which is appropriate. The issue is, he could be found innocent in the court of law later, that doesn't change his behavior unbecoming a police officer from...

Atty. Ninowski stated so, you boil it down to a creditability issue, right, that's what you boil down to. Now, if you have only the subject and the complainant that's what it is and you have to weigh that.

Chairperson Blackwell stated so the question is when you are bringing us this, what's the background of the compliant? I mean, the police officer did go through twenty-six (26) weeks of training and etc. I'm saying by no means is anybody trying to challenge this particular issue, but I am just trying to find out...

Atty. Goldpaugh stated I'm not here contesting it and the reason why I'm not contesting it, is because of the charge that is brought as we've addressed on numerous occasions. It's that felony that's hanging over the officer's head.

Chairperson Blackwell he asked is it a felony charge, when someone pulls a weapon on someone or waves a weapon?

Atty. Ninowski stated yes.

Atty. Goldpaugh stated yes.

Chairperson Blackwell stated so people knowing that and having that information, all you have to do is say he waved a gun at me and you know you got him.

Atty. Hooks stated that may be true, but a lot of those facts, we're somewhat skating on the merits of the charge. Those will be teased out during the preliminary examination based on other....

Chairperson Blackwell stated (inaudible) suspended without pay.

Atty. Hooks stated I understand, but as it stands now, these are the allegations and this is what we are working with. We don't have all of the facts and we can't get into the merits of it at this point. But, he has been charged with a felony and based on the union agreement and/or past practice (the union does not object). This is when an allegation of felony has been made and this person has actually been arraigned on this charge, then he is ripe for a suspension without pay. And, it may be that it will be thrown out at the preliminary stage, it may be that he will make it to a trial and he will be found not guilty at that point. The Department will then have an opportunity to re-look at this and revisit this matter, to determine whether or not department charges will be brought.

Comm. Holley asked what's the time factor on this?

Atty. Hooks stated I believe that the preliminary examination should be within fourteen days.

Atty. Goldpaugh stated from what I understand the exam is scheduled for May 3, 2005, assuming whoever he obtains is going to use that as a date.

Looking at what's on track over in the Wayne County Circuit Court at this point of time, more than likely if it were to go to a trial, and if there's no problems with it, I'm would anticipate that he would probably go to trial sometime in November.

Atty. Hooks stated yes, about six (6) months.

Comm. Holley stated that is my concern and that has always been my concern. I'm not saying that this is not serious, obviously it is serious. All I'm asking for is for sensitivity to the fact that what's going over to the court system, is that somehow we have to really get a hold of this and try to shorten the time frame.

Chief Bully-Cummings stated I want to assure that when these matters come before me, we look at them very seriously. I don't take it lightly, making a request to suspend a member without pay. I do take into consideration the impact that it will have in this department and this community. This person has been charged with a felony, it is not up to us to take a look at the merits of the matter, that's for the judge or the jury to do, if it gets that far. But, this is the same process that applies to John and Jane Smith citizen and officers are held to a much higher standard. They go through extensive training and we can't make a distinction between charges that are brought against a police officer that are brought against Jane and John Smith.

Chairperson Blackwell asked if Jane and John get charged, do they lose their paycheck from their work?

Chief Bully-Cummings stated it is kind of the same thing on the police department. I'm not justifying that Commissioner. What I am saying is, citizens, spouses, girlfriends, sons and daughters have an avenue in the Detroit Police Department, that if you were working anywhere else in this country, nine times out ten, outside of law enforcement, outside of being a lawyer because you can file a grievance, there are certain professions that have an avenue to make a complaint and being a police officer is clearly one of them. That's the way it is. We get calls all of the time and they might not rise to the level of felony, but we have to investigate all complaints that come against our officers.

Atty. Ninowski stated also remember that officers have a state certification and they can lose that state certification with a felony charge or conviction for a felony.

Chairperson Blackwell asked which one, the charge or conviction?

Atty. Ninowski stated the conviction for a felony. I can assure you that in this type of case and particularly with Officer Rainer's case, we do reevaluate. Once Internal Affairs has started their investigation (which they already have),

and the preliminary examination has taken place, Mr. Goldpaugh and I talk about what goes on in a case. And, if we do have to reinstate somebody, I go to the Chief and we have a discussion and that decision is made. I could promise you that it will be reevaluated and it will not take six (6) months to do that.

Chairperson Blackwell stated I understand that we have been given the latitude to contravene. Now, to sit up here and contravene an issue, then it will appear that we are taking a stance against someone that has been charged with a very serious allegation of assault. For us to contravene that, makes us look like we are not sympathetic to the fact that this is a very serious allegation. Our whole issue is that, part of why the Board of Police Commissioners was established was to have a citizen arm that could contravene based on the doctrine of what we think is fair. For instance, what if we find out that she was totally lying, does he get all of his back pay back?

Atty. Ninowski stated under the Collective Bargaining Agreement he does, and I would suspect that she would be charged with a felony. He has a make whole remedy under his Collective Bargaining Agreement.

Chairperson Blackwell asked looking at the allegations of he said, she said and they're the only witnesses, are there are any other issues other than this preliminary case that are looked at? The issue is we don't know anything about the person who made the allegation, what's their creditability. All of that is taken in account maybe in a trial, but to us we don't get the benefit of that. All we get the benefit of is this is what she said, and this is what the Chief had to do because this is the policy. The question is, Is it fair? Maybe at a subsequent meeting maybe we need to get with Ms. Hooks and talk about the whole policy itself and how it is done, and how it relates to the Board. It doesn't necessarily have to change the Chief's mind on how she approaches it. But, I think that we should have our own independent ability to make a determination on the whole contravention issue.

Comm. Holley stated normally, we don't know the results of a lot of these cases and what will help me is that if I know a little bit more. It seems that we should be able to get some feedback as to what happened to this individual.

Atty. Hooks stated Comm. Blackwell I will make sure that there is some training that is provided. To address your concern, Comm. Holley, we do get that information and as I explained some time ago, the problem is because it is so spaced out, it is a matter of connecting the dots. However, at this point, starting last month, I am receiving monthly reports now, with respect to member's statuses, those that have been suspended with or without pay. So, you will be getting them on a monthly basis and if there have been any changes that I am aware of, I will make you aware of that. But, you are getting

the information, it's just that it's spaced out and I will try to work a little bit more with that.

There were no contraventions to the above suspension without pay.

CITIZEN COMPLAINTS RECEIVED

	<u>This Week</u>	<u>Year to Date</u>
2005 - Weekly Count of Complaints:	28	393
2004 - Weekly Count of Complaints:	27	440

- The Office of the Chief Investigator (OCI) closed a total of **57** cases this week.
- The Office of the Chief Investigator submitted **16** cases to the Chief's Office.
- The Chief's Office has reviewed and returned **0** cases to OCI.

5. REPORT/PRESENTATION – CHIEF OF POLICE

DETROIT POLICE DEPARTMENT

**REPORT TO THE
BOARD OF POLICE COMMISSIONERS**

Vision Statement

BUILDING A SAFER DETROIT THROUGH COMMUNITY PARTNERSHIPS.

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take guns and drugs off the streets of the city of Detroit.

SPECIAL ENFORCEMENT ACTIONS

During the period of April 12th – April 18th, the *Narcotics Enforcement and Conspiracy Units* conducted 25 search warrants and 28 street enforcement actions within the boundaries of the city of Detroit, resulting in the following arrests and confiscations:

- ◆ 34 Felony arrests
- ◆ 97 Misdemeanor arrests
- ◆ 1 Juvenile detained
- ◆ 768.6 Grams of cocaine, 18.2 grams of heroin, 489,629.45 grams of marijuana - street value \$2,298,718.00
- ◆ \$170,998.00 U.S. currency

Confiscated:

- ◆ 10 Handguns
- ◆ 2 Vehicles

The Vice Section

During the week of April 12th – April 18th, officers of the Vice Section conducted Operation Pressure Point within the boundaries of the 11th Precinct. The following are the results of their endeavors:

- ◆ 9 Miscellaneous Ordinances issued
- ◆ 3 Businesses inspected for vice related activities
- ◆ 1 Business cited for Michigan Liquor Control Commission violations

The Investigative Operations Division

On April 12th, officers of the 5th Precinct 16393 E. Warren on a “Armed Robbery – Business” run. Subsequent to an investigation and after a brief foot chase two (2) men were arrested for “Armed Robbery” and “Assault with Intent to Commit Armed Robbery.” Further investigation revealed that the two (2) men were also responsible for numerous robberies in and around the 5th Precinct.

The Gang Enforcement Section

On April 13th, officers of the Gang Enforcement Section received information on the location of a man wanted in connection with the non-fatal shooting of three (3) juveniles. The officers responded to the 18000 block of Trinity. As a result of an investigation, one (1) man was arrested for “Assault With the Intent to Commit Murder.”

The Violent Crimes Task Force

On April 10th, officers of the Violent Crimes Task Force and the Repeat Offenders Program were requested to assist the Homicide Section in the investigation involving the fatal shooting of a twelve year old boy on Freeland Street within the boundaries of the 8th Precinct. Members worked closely with the citizens to identify the individual wanted for the murder. The officers received information that the man was on a bus headed for Atlanta, Georgia. The officers provided the Atlanta Police Department and the Atlanta Office of the U.S. Marshals with photographs. The man was subsequently arrested without incident upon arrival at the bus terminal in Atlanta. On April 18th, officers from the Fugitive Apprehension Service Team traveled to Atlanta to take custody and extradite the wanted man to Detroit. He is currently scheduled for a preliminary examination.

On April 9th, in an unrelated case, Officers of the 3rd Precinct responded to the area of cadet and military to investigate possible gunshots. The investigation led officers to 6122 Cadet where they observed a seven (7) year old female who had been critically shot. Officers received information as to the identity of the man responsible for this crime. On April 12th, the Saginaw Police Department arrested the wanted man on unrelated traffic offenses. The man was extradited to Detroit by the Fugitive Apprehension Service Team.

Police/Community Intervention



TAKING THE GUNS OFF THE STREET !


Total Guns Confiscated
Year-To-Date
1,154

FIRST PRECINCT

On April 15th, officers of the 1st Precinct responded to 550 West Lafayette (WDIV) on a "Shooting Just Happened" run. Due to the combined efforts of the Violent Crimes Task Force, the First Precinct, local media and citizens in the community, one (1) man was arrested for "Assault With the Intent to Murder," "Assault With the Intent to Cause Great Bodily Harm," and "Felonious Assault."

SECOND PRECINCT

On April 16th, officers of the 2nd Precinct responded to the 8000 block of Prest on a "Person With a Weapon" run. Subsequent to an investigation and after a brief struggle, one (1) man was arrested for "Armed Robbery," "Felonious Assault/Domestic Violence," "Assault and Battery of a Police Officer," and "Malicious Destruction of Police Property." Confiscated was one (1) shotgun.

THIRD PRECINCT

On April 14th, officers of the 3rd Precinct, while on patrol in the area of Ethel and Omaha, observed a man walking in the street impeding vehicular traffic. As a result of their investigation, the man was arrested for "Violation of Controlled Substance Act." Confiscated was one large zip-lock bag containing suspected marijuana.

FIFTH PRECINCT

On April 13th, officers of the 5th Precinct responded to the 4000 block of Coplin on an "Armed Robbery Just Happened" run. Subsequent to an investigation and after a brief foot chase, one (1) man was arrested for "Armed Robbery – Carjacking." The victim's property was returned.

EIGHTH PRECINCT

On April 16th, officers of the 8th Precinct, while on patrol in the area of St. Martins and Greenfield, observed a vehicle disregard a stop sign. The officer's initiated a traffic stop, which resulted in the arrest of one (1) man for "Carrying a Concealed Weapon – Motor Vehicle" and "Violation of Controlled Substance Act." Confiscated was one (1) handgun and 22 grams of crack cocaine, street value \$8,800.00.

NINTH PRECINCT

On April 13th, officers of the 9th Precinct, while on patrol in the area of Hayes and Cedargrove, were flagged down by a citizen, who stated a juvenile had a gun. The officers detained the juvenile for "Carrying Concealed Weapon – Person" and "Violation of Controlled Substance Act." Confiscated was one (1) handgun, and eleven (11) individually wrapped baggies of marijuana.

ELEVENTH PRECINCT

On April 12th, officers of the 11th Precinct responded to the 13000 block of Mitchell on a "Breaking and Entering Alarm" run. The officers observed a man exit through the front window. As a result of an investigation and after a brief foot chase, one (1) man was arrested for "Home Invasion" and Habitual 4th Offense." The stolen property was returned to the home owner.

Chief of Police Ella M. Bully-Cummings

6. PRESENTATION – MANAGEMENT SERVICES BUREAU

DC Goss-Adrews stated Cmdr. Scott Kohls, Lt. Michael Adams and Police Officer Roland Clark from the Resource Management Division will be giving a presentation on Police Authorized Towing.

Cmdr. Kohls gave the following PowerPoint presentation:

(SEE ATTACHMENT)

QUESTIONS & ANSWERS

Why does the Police Department Tow?

Chairperson Blackwell asked did you say that they tow for gambling?

Cmdr. Kohls stated if the vehicle was used under forfeiture laws, that could be one of the reasons or vice related activities.

Tower Requirements?

Vice-Chairperson Ramirez asked are the tow companies opened 24/7?

Cmdr. Kohls stated no, they are not.

Vice-Chairperson Ramirez asked why?

Cmdr. Kohls stated the hours are from 7:00 a.m. to 7:00 p.m. for seven days a week. The Detroit Police Department has a fiduciary arrangement with each tow company under contract and that is a part of our contract.

Questions (cont.)

Chairperson Blackwell asked if someone never picks up their car, is that cost eaten up by them?

Cmdr. Kohls stated the paperwork (PR52) is filled out and gives the identifying information about the vehicle and the condition of the vehicle and that is sent to the last registered owner. And, that owner will have 20 days to respond to that. There have been times where the owner has not received that paperwork, but that is the last registered owner with the last known address. Sometimes the owners move more than once and the mail is not forwarded to them.

Chairperson Blackwell asked do the tow companies auction off the car or use it for salvage or scrape?

Cmdr. Kohls stated once it is sent to the last known address or the registered owner and there is a twenty day response time and if there is no response to the mailing, that's when the vehicle will be put into the process to be auctioned to pay for the towing charges and the storage space.

Chairperson Blackwell asked if the cost of the recovery is more than that charge and the fee is, what happens?

Cmdr. Kohls stated the remaining money would go to the City's general fund.

Chairperson Blackwell asked so the City does get some money back?

Cmdr. Kohls stated yes, the City does receive some money.

Chairperson Blackwell asked is there any budgetary information in regards to towing?

Cmdr. Kohls stated for the year 2004, the auction detail took in approximately \$505,000.00, which was transferred to the general fund.

Chairperson Blackwell asked was that over and beyond recovering their costs?

Cmdr. Kohls stated the Department actually had some costs due for certain tows. For example, if there is a vehicle that is parked midway into the intersection, an officer would have that vehicle towed to a legal parking space, so there is an initial cost to the Department. However, in that case, the owner of that vehicle would be ticketed and the money would come back with the cost of the violation on the ticket and the towing charge.

Chief Bully-Cummings stated even though we took in 505, if you were to subtract out the costs of the member's salary because you have salary infringes, it would really be a deficit.

Chairperson Blackwell stated my issue is that if we didn't get any money back, some could argue that towing abandoned cars or cars blocking intersection is a service provided to the community. He asked how much revenue do tow companies generate?

Cmdr. Kohls stated as an individual company, I wouldn't know exactly because they do other tows....

Chairperson Blackwell stated I am talking about when they are contracted by the city of Detroit. Being a contractor with the city of Detroit, we don't have any idea of what they make because we don't audit what we do because that is not part of our contractor structure.

Cmdr. Kohls stated that is correct. However, there is a standard fee of \$75.00 per one tow. For the first tow that's the standard amount. For example, if the vehicle is involved in an accident and then towed to the tower's lot, that is one standard fee of \$75.00. However, if the owner wants their vehicle transported to the dealership, that second tow is not regulated by the Department, so that fee would have to be worked out by the owner of the vehicle and the tower.

Chairperson Blackwell stated that \$75.00, even though that's regulated in terms of you establishing the rate to pay towing commission, that \$75.00 goes to the towing company.

Comm. Holley asked does a portion of the \$75.00 go to the City.

Cmdr. Kohls stated no, that \$75.00 goes for the towing.

Chairperson Blackwell asked to whom?

Cmdr. Kohl stated to the tow company.

Chairperson Blackwell asked so you don't have anything to do with that?

Vice-Chairperson Ramirez stated we get no monies out of it.

Chairperson Blackwell asked does that money go between the company and the individual?

Cmdr. Kohl stated that is correct.

Chairperson Blackwell asked anything extra is also worked out between the tow company and the individual?

Cmdr. Kohl stated after the preceding tow. That's correct.

Chairperson Blackwell asked do we know the amount of money that is generated as it relates to towing?

Cmdr. Kohl stated yes and no. For example, we take in revenue from towing however, it comes to the general fund and then the amount is paid....

Chairperson Blackwell asked do we know how much money is generated as it relates to the cost?

Chief Bully-Cummings stated we know how many tows are made each year. That is difficult because we don't ask for a profit and loss statement for towers is that you know the number of tows. I think it is about 250,000 that we tag. About 60,000 of those, before the 48 hours is up someone moves those cars, so we can't tow them. So, then the difference is what we actually tow. So, you could come up with a pretty good approximation of the number of tows.

Chairperson Blackwell stated the right to tow is granted by the City. So, the right to charge more for the towing or to get a fee, is it a right that the City reserves.

Chief Bully-Cummings stated correct.

Comm. Holley asked do we charge these 29 companies for the privilege of towing in our city?

Comm. Hampton entered the conference room.

DC Goss-Andrews stated I clearly understand what you are saying and we recognize that as one of the issues and the fallacies of the whole towing program and contract. But we are bound by a lot of things in terms of the language in the contract about what you can and cannot do.

Chairperson Blackwell asked don't they expire at some point?

DC Goss-Andrews stated exactly. We have been working on dealing with all of the issues that you are talking about today because we do recognize that there were some things that were not in the best interest of the city of Detroit and the citizens of the city of Detroit. But, we were bound by the legalities of the contract. So, all of the things that you are talking about today are being addressed and things that we have been working on for quite some time and waiting for when the contract expires that we could move forth.

Vice-Chairperson Ramirez asked should we be in this type of business?

Chairperson Blackwell stated even though you know the contract is enforced, the contract has a sunset date.

DC Goss-Andrews stated yes.

Chairperson Blackwell stated if you go to the 29 towers and ask, who among you are willing to restructure your agreement voluntarily and enter into this type of agreement for an extension, since the City is in a financial situation.

We might have to have an accountant or a consultant to tell you what the profit and loss is.

DC Goss-Andrews stated I don't want to give the impression that we are waiting until that ends, we have been doing the research and looking at best practices for quite some time.

Comm. Holley asked did anyone see the report yesterday where there was a Cadillac that lost wheels in a neighborhood and they claim that they have been calling for about four (4) days to have it towed? He asked are you familiar with that story?

DC Goss-Andrews stated no, I did not see that story.

Chief Bully-Cummings stated I am, it happened in the Eighth Precinct area.

Comm. Holley asked is there any reason why it took them so long?

Chief Bully-Cummings stated we are having that looked into because there is an allegation that a report was made at the precinct and the precinct didn't follow through on it.

Comm. Holley asked is anyone familiar with the story regarding police officers calling other people other than the people that we are contracted with for towing cars and they have been charging our citizens about \$400, \$500 or \$600.

DC Goss-Andrews stated I am familiar with it. I have the tape, but I haven't seen the tape.

Chief Bully-Cummings stated it is currently being investigated. Each precinct has a tow book and officers are required to rotate, so if the first person on the list is not available they go to the next person on the list. That's a major problem with the system that we have in place because there is no way that we could put in a check and balance of accountability and monitor it 24 hours a day.

Chairperson Blackwell asked did you say that the first three (3) days of the fee is waived?

Chief Bully-Cummings stated that is included in the \$75.00. The \$75.00 pays for towing and three (3) days of storage.

Vice-Chairperson Ramirez asked do you still have to pay the \$75.00 when your car is stolen?

DC Goss-Andrews stated usually your insurance company will pick that up.

Chairperson Blackwell stating we need to look at ways where we could be a partner on the fee side.

Vice-Chairperson Ramirez asked once the vehicle is recovered, how long does it take for officers to put it in the lien system?

Cmdr. Kohl asked are you talking about a stolen recover?

Vice-Chairperson Ramirez stated yes.

Cmdr. Kohl stated the officer will respond to the location at that time and they would do a lien check on it to confirm that it is stolen and they would contact the precinct. The lein operator will go through the rotation list and the first tow company that is available will tow it to a yard and then at that point and the owner will be notified through the Telephone and Crime Reporting Unit.

Vice-Chairperson Ramirez asked how long does it take to notify the citizen?

Cmdr. Kohl stated it could be immediately or there might be a time delay.

Vice-Chairperson Ramirez asked is the citizen being charged for the storage fees during that time?

Cmdr. Kohl stated yes, the first three (3) days are waived.

Chief Bully-Cummings stated one of the problems that we are having is that it is getting harder to find the owner of that vehicle. We are currently looking at ways to improve the training process for reporting a recovered vehicle.

Vice-Chairperson Ramirez acknowledged the presence of Comm. Hampton.

Comm. Hampton stated I have read the Executive Secretary's Report and as it relates to Police Officer Romon Johnson and Police Officer Keith Rainer, I concur with that action.

7. OTHER BUSINESS

There was no other business.

8. ANNOUNCEMENT OF NEXT MEETING

Thursday, April 28, 2005 @ 3:00 p.m.

Police Headquarters
1300 Beaubien, Rm. 328-A
Detroit, MI 48226

9. ORAL COMMUNICATION FROM THE AUDIENCE

Comm. Holley stated I have received several complaints in regards to police officers stopping citizens on Joy Road/Greenfield for not wearing their eye glasses, being seven (7) miles over the speed and etc.

Chief Bully-Cummings stated I understand your concern and I will look into it, because that matter was mentioned to me by someone else.

Comm. Holley exited the conference room.

Juanita Newton advised everyone about current community programs and events, such as Motor City Make Over, a Garden and Beautiful Site Program, a Chess/Checker/Domino Tournament, Mentoring Programs, Workshops, and etc.

Odell Johnson gave each Commissioner a copy of his complaint that alleges the Detroit Police Department and the Sixth Precinct violated various parts of the Code of Conduct, as found in the Detroit Police Department Manual (Series 100 Administration). He also stated that the suspect's name is incorrect in his official complaint report.

Chairperson Blackwell stated I.C.I. Sheard will open up an investigation and make it an official complaint.

I.C.I. Sheard stated it should be noted that we've had several meetings with Mr. Johnson, one of which addressed the very letter that you are holding in your hand. We met at the Sixth Precinct along with Mr. Rick Scott of the Ombudsman office, where we had a mediation hearing on April 6, 2005.

Vice-Chairperson Ramirez asked was it for this same thing?

I.C.I. Sheard stated yes, the same issues or similar issues with references to his concerns. At that meeting, we agreed with Mr. Johnson that if he had any additional concerns that he might feel free to contact either myself direct or contact Cmdr. Moreland or Mr. Scott. I understand his concerns, but he was advised with reference to the report that he is entering now, that all he had to do was file an addendum to any police report that has been filed with the Detroit Police Department. The name of the individual that he has concerns about is indeed Mr. White, for some reason it was transcribed incorrectly on the report and he has been advised to file an addendum. The original report

will not be changed on its face because it is what it is when the officer makes the report. I had explained that to him and I still remain available to Mr. Johnson.

Chairperson Blackwell stated let's say it another way. The original report will read the way that it was with the addendum or as amended, because in any amendment you have to read the amendment with the original and there in lies the new entire complaint.

I.C.I. Sheard stated that is correct.

Chairperson Blackwell stated it's that plus the corrected information.

I.C.I. Sheard stated that is correct.

Chairperson Blackwell asked is the actual substance inside of the complaint being investigated?

I.C.I. Sheard stated it is.

Chairperson Blackwell asked is that ongoing?

I.C.I. Sheard stated it is.

Chairperson Blackwell stated Mr. Johnson, the response is that even though we understand that you have a problem with syntax and the name being wrong, but that's a part of the information that is part of the record. Your addendum to the original complaint will be attached to the original complaint and it will say just what you are saying. He asked can this report be an addendum to the original complaint?

Mr. Johnson stated yes, stated what Mr. Sheard is saying in part is correct, but in certain parts it must be established that it is not correct because this issue has never been spoken to me at the Sixth Precinct. The only issues that were addressed were bulk garbage and other things. He is also concerned that the correct information has not been entered into the lein system.

Ron Scott stated when I was a victim of crime, I had to pay for the towing and storage of my vehicle, when I assumed, that the investigatory practice was that if I allowed my vehicle to be used as evidence and fingerprinted, that I wouldn't have to pay.

Chairperson Blackwell stated this doesn't make sense.

Mr. Scott stated this did not happen during this Chief's tenure.

Chairperson Blackwell asked as of when?

Lt. Adams stated as long as I have been here.

Chairperson Blackwell asked how long ago is that?

Lt. Adams stated about two (2) years ago.

Chairperson Blackwell asked did your issue happen prior to two (2) years ago?

Mr. Scott stated yes, prior to two (2) years. I wasn't aware of that.

Lt. Adams stated if a citizen is a victim of a crime, such as carjacking, CSC, homicide or robbery, the tow fee is waived for them and the City will pay the fee.

Vice-Chairperson Ramirez stated the community needs to know this information.

Mr. Scott stated he wanted to know if the questions that he raised about latent prints have been addressed. He also stated that he would like to speak to the Chief about an incident where the commander of a precinct allegedly made disparaging remarks, which were made about citizens in relationship to a policy framework.

10. ADJOURNMENT

The meeting was adjourned at 5:23 p.m.

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/kdw